



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/390,154 09/03/99 MUKHERJEE

R AM9-99-0080

EXAMINER

TM02/1016

JOHN L ROGITZ
ROGITZ & ASSOCIATES
750 B STREET SUITE 3120
SAN DIEGO CA 92101

LY, A
ART UNIT PAPER NUMBER

2172
DATE MAILED:

10/16/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/390,154

Applicant(s)

MUKHERJEE, RAJAT

Examiner

Anh Ly

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-20 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, and 12-18 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,941,944 issued to Messerly.

With respect to claim 1, Messerly discloses crawling the Web servers to identify assets and hyperlinks (see Fig. 8, and col. 6, lines 55-67), storing data representative of the assets and hyperlinks in a database (col. 5, lines 44-56 and col. 6, lines 34-45); using database, ensuring that when a user browser selects a hyperlink represented in the database, the user is not presented with a "file not found" message as claimed (see abstract, fig. 3; col. 2, lines 33-44, col. 4, lines 1-34 and col. 5, lines 10-55).

Messerly does not clearly disclose "the assets and "file not found" message". However, Messerly shows in the fig. 8 (crawler, col. 6, lines 55-67) to have a database with index as intermediate directory, and the web page documents as assets, and the

Art Unit: 2172

error message meaning as "file not found" message (col. 4, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art to employ the teachings of Messerly such as assets, database, and "file not found " message so ^{that} as to have a computer-implemented for managing assets on web servers in the information retrieval via computer network over the Internet environment.

With respect to claim 2, Messerly discloses determining that any hyperlink is a broken hyperlink when the hyperlink points to an asset not presented in the database as claimed (col. 4, lines 1-16 and lines 55-67, col. 5, lines 1-39 and col. 6, lines 1-18), and undertaking action to address broken hyperlinks, the integrity of the hyperlinks being preserved once the hyperlinks are addressed as claimed (col. 1, lines 15-36 and col. 4, lines 1-16).

With respect to claim 3, Messerly discloses the undertaking act including modifying an asset on the web server or adding an asset to the web server such that when a user browser selects a hyperlink in an asset on one of the web servers, the user is not presented with a "file not found" message as claimed (see Fig. 8, and col. 6, lines 55-67; col. 5, lines 44-56 and col. 6, lines 34-45; see abstract, fig. 3, col. 2, lines 33-44, col. 4, lines 1-34 and col. 5, lines 10-55).

With respect to claim 4, Messerly discloses linking the data representative of the assets and hyperlinks resident in the database to the corresponding assets on the Web servers (col. 6, lines 55-67).

With respect to claim 5, Messerly discloses determining that a user is attempting to create a new asset on one of the web servers (see fig. 8, item 90, col. 6, lines 55-

Art Unit: 2172

670; receiving the new asset (col. 6, lines 60-64); copying, crawling and storing the assets and hyperlink in the database (see fig. 8, col. 6, lines 55-67).

With respect to claim 6, Messerly discloses determining that a user is attempting to modify an existing asset in one of the web serves, unlinking the existing asset from the database, allowing the user to update the existing asset to render a modified asset, a copy of the existing asset being retained; crawling and storing the data representative of the asset (as web pages) (col. 5, lines 44-56 and col. 6, lines 34-45, col. 4, lines 1-16, and lines 55-67, and col. 5, lines 1-39; col. 6, lines 55-67).

With respect to claim 7, Messerly discloses crawling the Web servers to identify assets and hyperlinks (see Fig. 8, and col. 6, lines 55-67), storing data representative of the assets and hyperlinks in a database (col. 5, lines 44-56 and col. 6, lines 34-45); using database, ensuring that when a user browser selects a hyperlink represented in the database, the user is not presented with a "file not found" message as claimed (see abstract, fig. 3, col. 2, lines 33-44, col. 4, lines 1-34 and col. 5, lines 10-55).

Messerly does not clearly disclose "the assets and "file not found" message". However, Messerly shows in the fig. 8 (crawler, col. 6, lines 55-67) to have a database with index as intermediate directory, and the web page documents as assets, and the error message meaning as "file not found" message (col. 4, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art to employ the teachings of Messerly such as assets, database, and "file not found " message so ^{that} as to have a computer-implemented for managing assets on web servers in the information retrieval via computer network over the Internet environment.

With respect to claim 8, Messerly discloses that subsequent-based selections of hyperlinks (reference pointers) are not possible or if possible, do not result in "file not found" message as claimed (see abstract, fig. 3, col. 2, lines 33-44, col. 4, lines 1-34, col. 5, lines 52-56, col. 10, lines 62-67 and col. 11, lines 1-22).

With respect to claim 12, Messerly discloses crawling the Web servers to identify assets and hyperlinks (see Fig. 8, and col. 6, lines 55-67), storing data representative of the assets and hyperlinks in a database (col. 5, lines 44-56 and col. 6, lines 34-45); using database, ensuring that when a user browser selects a hyperlink represented in the database, the user is not presented with a "file not found" message as claimed (see abstract, fig. 3, col. 2, lines 33-44, col. 4, lines 1-34 and col. 5, lines 10-55).

Messerly does not clearly disclose "the assets and "file not found" message". However, Messerly shows in the fig. 8 (crawler, col. 6, lines 55-67) to have a database with index as intermediate directory, and the web page documents as assets, and the error message meaning as "file not found" message (col. 4, lines 5-10). Therefore, it would have been obvious to one of ordinary skill in the art to employ the teachings of Messerly such as assets, database, and "file not found " message so ^{not} as to have a computer-implemented for managing assets on web servers in the information retrieval via computer network over the Internet environment.

With respect to claim 13, Messerly discloses determining that a user is attempting to create a new asset on one of the web servers (see fig. 8, item 90, col. 6, lines 55-670; receiving the new asset (col. 6, lines 60-64); copying, crawling and storing the assets and hyperlink in the database (see fig. 8, col. 6, lines 55-67).

With respect to claim 14, Messerly discloses determining that a user is attempting to modify an existing asset in one of the web serves, unlinking the existing asset from the database, allowing the user to update the existing asset to render a modified asset, a copy of the existing asset being retained; crawling and storing the data representative of the asset (as web pages) (col. 5, lines 44-56 and col. 6, lines 34-45, col. 4, lines 1-16, and lines 55-67, and col. 5, lines 1-39; col. 6, lines 55-67).

With respect to claim 15, Messerly discloses receiving, in a database, data representative of asset and hyperlinks from plural web servers (col. 1, lines 15-49 and col. 6, lines 55-67), maintaining the database such that when a user browser select a hyperlinks represented in the database, the user is never presented with a "file not found" message (see abstract, fig. 3, col. 2, lines 33-44, col. 4, lines 1-34, col. 5, lines 52-56, col. 10, lines 62-67 and col. 11, lines 1-22, col. 6, lines 55-67).

With respect to claim 16, Messerly discloses determining that any hyperlink is a broken hyperlink when the hyperlink points to an asset not presented in the database as claimed (col. 4, lines 1-16 and lines 55-67, col. 5, lines 1-39 and col. 6, lines 1-18), and facilitating action to address broken hyperlinks as claimed (col. 1, lines 15-36 and col. 4, lines 1-16).

With respect to claim 17, Messerly discloses linking the data representative of the assets and hyperlinks resident in the database to the corresponding assets on the web servers (col. 6, lines 55-67).

With respect to claim 18, Messerly discloses the database is remote from the web servers (col. 6, lines 55-67).

Art Unit: 2172

4. Claims 9-11 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,941,944 issued to Messerly, in view of US Patent No. 5,918,229 issued to Davis et al. (hereinafter as Davis).

With respect to claim 9, Messerly discloses the computer system for managing assets on a plurality of web servers as discussed in claim 7.

Messerly does not explicitly indicate, "backups of the database automatically causes the associated assets to be backed up on the file system or web servers."

However, Davis discloses the recovery the database storing the web pages as claimed (see abstract, col. 4, lines 17-46 and col. 6, lines 20-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Messerly with the teachings of Davis so as to have a computer system for managing assets on plurality of web servers because the combination would let the users to select a hypertext document in the database from which the web browser would not return an error message or "file not found message because the content or document is no longer located at the address path specified the link (Messerly – col. 1, lines 50-67 and col. 2 lines 32-64) in the information retrieval via computer network over the Internet environment.

With respect to claim 10, Messerly discloses determining that a user is attempting to create a new asset on one of the web servers (see fig. 8, item 90, col. 6,

Art Unit: 2172

lines 55-670; receiving the new asset (col. 6, lines 60-64); copying, crawling and storing the assets and hyperlink in the database (see fig. 8, col. 6, lines 55-67).

With respect to claim 11, Messerly discloses determining that a user is attempting to modify an existing asset in one of the web serves, unlinking the existing asset from the database, allowing the user to update the existing asset to render a modified asset, a copy of the existing asset being retained; crawling and storing the data representative of the asset (as web pages) (col. 5, lines 44-56 and col. 6, lines 34-45, col. 4, lines 1-16, and lines 55-67, and col. 5, lines 1-39; col. 6, lines 55-67).

With respect to claim 19, Messerly discloses the method for managing assets on a plurality of web servers as discussed in claim 1.

Messerly does not explicitly indicate, "backing up the assets in the database when the database is backed up."

However, Davis discloses the recovery the database storing the web pages as claimed (see abstract, col. 4, lines 17-46 and col. 6, lines 20-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Messerly with the teachings of Davis so as to have a method for managing assets on plurality of web servers because the combination would let the users to select a hypertext document in the database from which the web browser would not return an error message or "file not found message" because the content or document is no longer located at the address path specified the link (Messerly – col. 1, lines 50-67 and col. 2 lines 32-64) in the information retrieval via computer network over the Internet environment.

With respect to claim 20, Messerly discloses the method for managing assets on a plurality of web servers as discussed in claim 1.

Messerly does not explicitly indicate, "recovering backed up assets in the database when the database is recovered".

However, Davis discloses the recovery the database storing the web pages as claimed (see abstract, col. 4, lines 17-46 and col. 6, lines 20-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Messerly with the teachings of Davis so as to have a method for managing assets on plurality of web servers because the combination would let the users to select a hypertext document in the database from which the web browser would not return an error message or "file not found message" because the content or document is no longer located at the address path specified the link (Messerly – col. 1, lines 50-67 and col. 2 lines 32-64) in the information retrieval via computer network over the Internet environment.

Contact Information

5. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527. The examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's

Art Unit: 2172

supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7238 (after Final Communication)

or:

(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7240 (for informal or draft communications, please


label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

AL

Sep. 21th, 2001.


Jean M. Cornelius
Patent Examiner
Art Unit 2172